

DOCKET NO: BP-95

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SELF-CALIBRATION OF ARRAY MICROPHONES**

the specification of which (check one)

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_. (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for the patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application:

European Patent Appli. No. 03450050.4 (February 25, 2003)

---

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the filing date of the continuation-in-part application, if this is a continuation-in-part application.

---

(Application  
Serial No.)

---

(Filing Date)

---

(Status/ patented,  
pending, abandoned)

---

(Application  
Serial No.)

---

(Filing Date)

---

(Status/ patented,  
pending, abandoned)

---

(Application  
Serial No.)

---

(Filing Date)

---

(Status/ patented,  
pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

FRIEDRICH KUEFFNER, Reg. No. 29,482.

Address all telephone calls to Friedrich Kueffner at telephone No. (212) 986-3114.

Address all correspondence to:

Friedrich Kueffner  
317 Madison Avenue, Suite 910  
New York, New York 10017

---

Full Name of First Inventor: **Martin Opitz**

Inventor's signature: \_\_\_\_\_

*Martin Opitz*

Date: 09.02.2004

Residence: **Wien, Austria**

Citizenship: **Austrian**

Post Office Address: **Hackenberggasse 29/12/3,  
A-1190 Wien, Austria**

---

Patent  
DOCKET #  
BP-95

To the Hon. Commissioner of Patents & Trademarks:  
Please record the attached original or copy thereof.

1- Name of conveying party(ies): Martin Opitz

---

2- Assignee(s): AKG Acoustics GmbH  
Address(es): Lemböckgasse 21 - 25, A-1230 Wien, Austria

---

3- Nature of Conveyance:

☒ Assignment                      ☐ Change of Name  
☐ Merger                              ☐ Security Agreement  
☐ Other:

EXECUTION DATE: February 9, 2003

---

4- Application number(s) or Patent number(s):

If this document is being filed together with a new application, the execution date of the application is: February 9, 2003

A) Application number(s):

B) Patent number(s):

---

5- Name and Address of party to whom correspondence concerning document should be mailed: Friedrich Kueffner  
317 Madison Avenue  
New York, NY 10017  
(212) 986-3114

---

6- Total number of applications and patents involved: 1

---

---

7- TOTAL FEE (37 CFR 3.41): \$ 40.00

☒ Enclosed (The Commissioner is hereby authorized to charge the deposit account any additional fees required or to credit any overpayment to Deposit Account No. 11-1835.)

☐ Authorized to be charged to Deposit Account

---

8- Deposit Account No: 11-1835

(Attach duplicate copy of this page if paying by deposit account)

---

DO NOT USE THIS SPACE

---

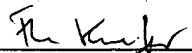
9- Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Friedrich Kueffner

Reg. No.: 29,482

Name of Person Signing



Signature

February 25, 2004

Date

Total number of pages including cover sheet, attachments, and document: 4

## **ASSIGNMENT**

In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, I the undersigned, **Martin Opitz** (hereinafter referred to as "ASSIGNORS").

Hereby sell, assign and transfer to **AKG Acoustics GmbH** (hereinafter referred to as "ASSIGNEE"), a corporation of **Austria**, having a place of business at **Lemböckgasse 21 - 25, A-1230 Wien, Austria**, its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been executed by the undersigned concurrently herewith, and is entitled

### **SELF-CALIBRATION OF ARRAY MICROPHONES**

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements;


Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name, and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing,


substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers, communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 09.02.2004

  
\_\_\_\_\_  
Martin Opitz

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Witness